

Rhode Island Department of Children, Youth & Families  
*Andrew C. v McKee* Monitoring Team Report  
Reporting Period #7 (July 1, 2021 – December 31, 2021)  
Updated September 30, 2022

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### Description of Scope of Review

As outlined in the Settlement Agreement described in the case of *Andrew C. v. McKee*,<sup>1</sup> the Monitoring Team is comprised of the Office of the Child Advocate (OCA) and the Data Validator. The Data Validator has since been hired by the Rhode Island Department of Children, Youth and Families (DCYF) and is identified as Public Consulting Group LLC (PCG). As outlined in Section 2(d) of the Settlement Agreement, the Data Validator is the “...final arbiter of the timeliness, accuracy of the methodology, as well as the statistical validity and reliability of the DCYF data...” As outlined in Section 2(f) of the Settlement Agreement, the OCA shall provide oversight to the commitments in the Agreement. The OCA “...shall receive and review the progress reports that have been determined to be valid and reliable by the Data Validator.” The OCA “...shall confirm whether the commitment has been met or not met.”

As part of the terms of the Settlement Agreement, DCYF must measure its performance on twenty indicators designed to ensure that children in out-of-home care due to an allegation of abuse or neglect receive the highest possible level of care. These outcomes include measures designed to evaluate the extent to which (a) children are placed in the most appropriate placement setting; (b) steps are taken by DCYF to maintain each child’s connection to their family; (c) foster homes are properly licensed and that background checks are completed for all household members; (d) reports of abuse or neglect are screened in, investigated, and completed in a timely manner; and (e) case plans for children in out-of-home care are updated in a timely manner and contain the elements required by law.

### Summary of Monitoring Team Activity

Following the conclusion of the seventh Reporting Period, PCG analyzed data provided by DCYF summarizing the Department’s performance during the Reporting Period. From January 1, 2022, through June 30, 2022, PCG and OCA, in their joint role as the Monitoring Team, reviewed and discussed the data, the review process, and the extent to which statewide performance was able to be validated.

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<sup>1</sup> Originally filed in 2007 as *Andrew C. v. Chafee*, the name of the case was amended in January 2015 to *Andrew C. v. Raimondo* upon Gina Raimondo’s inauguration as Governor of Rhode Island. In March 2021, the name of the case was again amended when Daniel McKee was sworn in as Governor of Rhode Island, to *Andrew C. vs. McKee*.

## SUMMARY OF METHODOLOGY & ACTIVITIES

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During the seventh Reporting Period, DCYF evaluated their performance across nine measures in order to gauge compliance with the terms of the Settlement Agreement. PCG conducted a quantitative analysis of data provided by DCYF for the entire statewide universe of applicable cases, clients, or events (for example, children served in out-of-home placement during a reporting period) to determine whether DCYF met the criteria described in the Settlement Agreement for that measure; the results of these analyses were used to identify whether DCYF met the threshold for compliance described in each section of the Settlement Agreement.

In addition to this quantitative analysis of statewide outcomes, many of the measures outlined in the Settlement Agreement require that a qualitative review be conducted for validation of the measure. PCG, in its role as Data Validator, conducted qualitative reviews using either a data validation process or a review instrument, dependent upon the measure. The data validation process consisted of selecting a random sample of up to 120 records<sup>2</sup> from the universe of eligible records and reviewing the original case documentation in order to verify the accuracy of the data as it is recorded in the Rhode Island Children's Information System (RICHIST) – Rhode Island's state-level child welfare case management system – to identify whether the data used to calculate the outcomes were valid and accurate. Review instruments were used for validation of the measures where the data was not easily quantifiable or was not recorded electronically and were used for only six measures: Visitation 6.2 (quality of caseworker visitation), each of the four Licensing measures (7.1 through 7.4) and Case Planning 10.3 (case plan Adoption Assistance and Child Welfare Act (AACWA) of 1980 compliance). For these measures, PCG developed review instruments to conduct the qualitative review.

To facilitate these reviews and the calculation of outcomes across each of the measures, DCYF supplied PCG with data files that were extracted and processed from RICHIST using syntax developed by DCYF. PCG conducted a review of the code used to derive the results for the first Reporting Period between January 1, 2019 and April 30, 2019, as part of the evaluation of the validity and accuracy of data compiled during Reporting Period 1. The syntax review consisted of an analysis of the database extraction code, the syntax used to derive exclusions and evaluate outcomes, and the sample size and methodology used to calculate the percentages reported and whether they align with the criteria outlined in the Settlement Agreement. PCG's review did not uncover any irregularities in any of the syntax used to calculate the percentages for any of the measures. In each subsequent period, PCG has re-reviewed the syntax used by DCYF to identify each analytic cohort and calculate outcomes.

While PCG did not identify any irregularities or apparent errors with the syntax during the first through seventh Reporting Periods, it will continue in future periods to validate the syntax utilized by DCYF to generate the samples and calculate statewide outcomes. In addition, PCG will continue to conduct reviews for each measure in order to validate the accuracy of the outcomes

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<sup>2</sup> During each of the first five Reporting Periods, PCG reviewed up to 100 cases. As part of the Monitoring Team's agreement with DCYF to expand the number of cases reviewed, during the sixth Reporting Period the maximum number of cases reviewed on each measure was expanded to 120. That sample size will be consistently applied going forward in order to ensure that the findings achieve a minimum acceptable level of statistical significance.

reported by DCYF. During the seventh Reporting Period, PCG observed DCYF staff in generating and transmitting all data extracts to verify that the data provided by DCYF represented the true and complete extract of the processing scripts.

Following this syntax review, PCG selected a random sample of up to 120 records for each of the outcome measures and conducted a qualitative review to verify that the activities indicated by DCYF in the data were appropriately recorded and documented. During this review, PCG researched individual case and client records in RICHIST, and recorded the date(s) of the relevant activity. These dates were then compared to the outcome calculated by the provided syntax to verify that the results were concordant with one another.

In August 2021, the Monitoring Team and DCYF reached an agreement that would ensure that the number of cases reviewed by PCG during each review period would ensure a minimum level of statistical significance:

- For those measures on which DCYF performs a Quality Review of cases through a qualitative lens, DCYF will review a sufficient number of cases to achieve 90 percent confidence that the results of the review are within five percentage points of the true statewide outcome;<sup>3</sup>
- For those measures on which DCYF performs a Quality Review of cases through a quantitative lens: DCYF will review a sufficient number of cases to achieve 95 percent confidence that the results of the review are within five percentage points of the true statewide outcome;
- For those measures where the Data Validator performs a second-level review of cases that underwent a DCYF Quality Review, the Data Validator will review a sufficient number of cases to ensure 95 percent confidence in finding any errors that occur in at least 2.5 percent of cases; and
- For those measures where the Data Validator performs a second-level review of cases for which the outcome was derived from DCYF syntax, the Data Validator will review a sufficient number of cases to ensure 95 percent confidence in finding any errors that occur in at least 2.5 percent of cases.

A copy of that agreement is attached to this report as [Appendix A](#).

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<sup>3</sup> For those measures where DCYF conducts a Quality Review of a sample of cases, the statewide outcome is only an estimate of the true statewide outcome – and larger sample sizes result in estimates that are closer to the true outcome for the full population. Therefore, when estimating statewide outcomes by evaluating a sample of cases, one can only say that the results are [X] percent likely to be within [Y] percentage points of the “true” statewide outcome.

## SECTION 1: ASSESSMENTS

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Under the terms of Section 1 of the Settlement Agreement, DCYF was evaluated on the extent to which the Department conducts assessments for children entering out-of-home care resulting from a report or suspicion of abuse or neglect; those assessments must be conducted within 30 days of the removal from the home. DCYF is also responsible for assessing the needs of any child who changes placement settings subsequent to a removal due to a report or suspicion of abuse or neglect. Upon such a change in placement, the assessment must be conducted in the period between 60 days prior to the placement change and fourteen days following the placement change.

During each of the first two Reporting Periods, DCYF met or exceeded the threshold described for each of the three measures described in Section 1 of the Settlement Agreement. On November 10, 2021, DCYF submitted a “Notice of Exit” to the Court indicating its exit from the terms of Section 1 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 1.

## SECTION 2: PLACEMENT IN ASSESSMENT & STABILIZATION CENTERS

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Under the terms of Section 2 of the Settlement Agreement, DCYF was evaluated on the extent to which the Department minimized the number of children placed in shelters or “assessment and stabilization centers” (ASCs).

During each of the first two Reporting Periods, DCYF met or exceeded the threshold described for each of the three measures described in Section 2 of the Settlement Agreement. On March 19, 2021, DCYF submitted a “Notice of Exit” to the Court indicating its exit from the terms of Section 2 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 2.

## SECTION 3: PLACEMENT IN CONGREGATE CARE

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Under the terms of Section 3 of the Settlement Agreement, DCYF was being evaluated on the extent to which the Department minimize the number of children placed in congregate care settings.

During each of the first two Reporting Periods, DCYF met or exceeded the threshold described for both of the measures described in Section 3 of the Settlement Agreement. On March 19, 2021, DCYF submitted a “Notice of Exit” to the Court indicating its exit from the terms of Section 3 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 3.

## SECTION 4: SIBLING PLACEMENTS

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Under the terms of Section 4 of the Settlement Agreement, DCYF was being evaluated on the extent to which siblings<sup>4</sup> who enter out-of-home care within 30 days of each other, or whose placement changes, are placed in the same placement setting. As described in the Settlement Agreement, siblings entering care or who change placements should be placed together unless:

- a) DCYF determines that co-placement would be harmful and/or not in the best interest of at least one sibling;
- b) at least one of the siblings has treatment needs that necessitate placement in a specialized facility;
- c) the size of the sibling group makes co-placement impossible due to licensing regulations;
- d) it is in the best interest of at least one sibling to be placed into a kinship setting in which the other siblings cannot be placed; or
- e) a specific placement is due to an order of the Rhode Island Family Court.

During the fifth and sixth Reporting Periods, DCYF met or exceeded the threshold described for the one measure described in Section 4 of the Settlement Agreement. On March 2, 2022, DCYF submitted a “Notice of Exit” to the Court indicating its exit from the terms of Section 4 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 4.

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<sup>4</sup> For the purposes of this measure, “siblings” were defined as children who have at least one parent in common through birth or adoption, who lived together immediately prior to placement and who entered placement within 30 days of one another.



## SECTION 5: CASE MANAGEMENT

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Under the terms of Section 5 of the Settlement Agreement, DCYF is tasked with attaining casework goals as described in the areas of visitation (Section 6 of the Settlement Agreement) and case planning (Section 10).

No additional outcome measures – beyond those described in Sections 6 and 10 – are defined in Section 5 of the Settlement Agreement.

### Workload Study Status

DCYF was to utilize the results from the first Reporting Period to establish a baseline of current DCYF compliance with the case plan content and timeliness elements evaluated under the terms of Section 10 of the Settlement Agreement. Starting with the second Reporting Period (January 1, 2019–June 30, 2019), should DCYF not attain the commitments outlined in Sections 6 and 10 in two consecutive periods, DCYF will be responsible for conducting a workload study in consultation with the Monitoring Team.

In the second and third Reporting Periods, DCYF either did not achieve the commitments outlined in Sections 6 and 10 (6.2, 6.3b, 6.4b, 10.2 and 10.3), and the Monitoring Team was unable to validate the statewide result due to an insufficient number of cases being reviewed (6.1). Therefore, under the terms of the settlement agreement DCYF is required to conduct a workload study in consultation with the Monitoring Team.

Through an open procurement process administered by the Rhode Island Department of Administration, DCYF engaged Public Consulting Group LLC<sup>5</sup> to conduct the required workload study during the first half of 2022. That workload study has been completed as of June 30, 2022. After the PCG team presented the results of the study to DCYF leadership, DCYF requested additional analysis incorporating additional caseload data; those updated results were presented to the DCYF team on September 21, 2022.

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<sup>5</sup> The PCG team conducting the workload study is separate from the team serving as the Data Validator under the terms of the Settlement Agreement.

Under the terms of Section 6 of the Settlement Agreement, DCYF is being evaluated on the extent to which children in out-of-home care are visited by caseworkers on a regular basis; that those visits appropriately assess issues pertaining to the safety, permanency, and well-being of the children; and that visits between siblings in care, and between children in care and their parents for cases with a goal of reunification, occur as often as described in the case plan.

Four outcome measures are described in the Settlement Agreement:

**Visitation 6.1:** Each full calendar month that a child is in out-of-home placement, they should experience at least one face-to-face visit with a member of the DCYF Care Team in their placement setting. DCYF must achieve a successful outcome in 95 percent of full calendar months that children are in out-of-home care.

**Visitation 6.2:** Children in out-of-home care during the Reporting Period must have visitation that meet the federal CFSR criteria to be rated as a “strength” in terms of frequency and quality. DCYF must draw a random sample of eligible cases to review and must achieve a successful outcome in 85 percent of reviewed cases.

**Visitation 6.3b:** Siblings in out-of-home care during the Reporting Period must have visitation between the siblings which occurs at the frequency indicated in their case plans if they are not placed together. DCYF must draw a random sample of eligible cases to review and must achieve a successful outcome in 85 percent of reviewed cases.

**Visitation 6.4b:** Children in out-of-home care during the Reporting Period for whom the case plan goal is reunification must have visitation with their parents that occurs at the frequency indicated in their case plans. DCYF must draw a random sample of eligible cases to review and must achieve a successful outcome in 85 percent of reviewed cases.

Upon attaining the goals described for Visitation 6.1 for two consecutive Reporting Periods, DCYF shall exit from the terms of the Settlement Agreement for that measure. Similarly, upon attaining the goals described for Visitation 6.2 for two consecutive Reporting Periods, DCYF shall exit from the terms of the Settlement Agreement for that measure.

The Visitation 6.3b and Visitation 6.4b measures are incorporated into Section 10 of the Settlement Agreement (Case Planning), and the criteria for DCYF’s exit from the terms of the Settlement Agreement for those measures are described in the “Section 10: Case Planning” section of this report.

### Visitation 6.1: Caseworker Face-to-Face Visits with Children

During the fifth and sixth Reporting Periods, DCYF met or exceeded the threshold described for the Section 6.1 of the Settlement Agreement. On March 2, 2022, DCYF submitted a “Notice of

Exit” to the Court indicating its exit from the terms of Section 6.1 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 6.1.

## Visitation 6.2: Quality of Face-to-Face Visits

### Review of Sampling Syntax and Statewide Sample

From the number of children in care during the first four months of the period, DCYF generated a list of the full calendar months children in DCYF custody were in care. From this list, the Data Validator pulled a random sample of 367 full calendar months that children were in care. Each sampled case was reviewed by a member of the DCYF Quality Review team in order to evaluate whether the quality of the visits meets the criteria used for the federal CFSR to rate the case as a “strength.” This methodology excluded children entering care during the final sixty days of the period, as those children were not in care long enough for a case plan to be developed during the period.

Of the 367 cases reviewed by DCYF, 87 cases (23.71%) were rated as a “strength.” This outcome falls short of the 85 percent threshold described in Section 6.2 of the Settlement Agreement.

### Case Reviews

PCG conducted a second-level review of each of the 87 cases reviewed by DCYF which were rated as a “strength,” and evaluated the quality of visitation using the same federal CFSR instrument and case review criteria employed by the DCYF Quality Review Team. The purpose of this case review was to verify the findings of the DCYF review. In each of the 87 cases reviewed, PCG agreed with the rating assigned by the DCYF Quality Review team.

### Statistical Validity of Samples

DCYF evaluated outcomes for 367 of the 5,521 eligible cases statewide (representing 6.65 percent of the statewide universe); this sample is statistically valid with 90 percent confidence and a margin of error of  $\pm 4.16$  percent. The number of cases reviewed resulted in a margin of error that meets the standard agreed upon by DCYF and the Monitoring Team, as described in Appendix A (“Monitoring Team Proposed Agreement on Sample Sizes”).

Of the 367 cases reviewed by DCYF, PCG conducted a second-level review of 120 cases. That exceeds the 101 cases that are required, per the methodology described in Appendix A, to ensure 95 percent confidence that errors occurring in at least 2.5 percent of cases are identified during the review.

## Visitation 6.3b: Sibling Visitation

### Review of Sampling Syntax and Statewide Sample

The Data Validator pulled a random sample of 105 sibling groups (of 144 total statewide) involving siblings in care at any point during the first four months of the reporting period. Each case in the random sample was reviewed by a member of the DCYF Quality Review team in order to evaluate whether visitation between the siblings occurred at (at minimum) the frequency described in the siblings’ case plans. This methodology excluded siblings entering care during the final sixty days of the period, as those sibling groups were not in care long enough for a case plan to be developed during the period.

Of the 105 sibling groups reviewed, 29 were found to have visitation that occurred at least as often as what was stipulated in the siblings' case plan. In addition to cases where visitation did not occur at the frequency recommended in the case plan, cases where the appropriate frequency of visits between siblings was not specified in the case plan were also counted as non-compliant on this measure. This outcome of 27.62 percent falls short of the 85 percent threshold described in Section 6.3b of the Settlement Agreement.

#### Case Reviews

PCG conducted a second-level review of each of the 29 cases reviewed by DCYF which were deemed to be compliant and evaluated whether that visitation did occur; in each of those cases, PCG found DCYF's findings to be accurate.

#### Statistical Validity of Samples

DCYF evaluated outcomes for 105 of the 144 eligible cases statewide (representing 72.92 percent of the statewide universe); this sample is statistically valid with 95 percent confidence and a margin of error of  $\pm 4.99$  percent. The number of cases reviewed meets the standard agreed upon by DCYF and the Monitoring Team, as described in Appendix A ("Monitoring Team Proposed Agreement on Sample Sizes").

PCG's second-level review was conducted against each of the 29 cases where DCYF indicated that sibling visitation occurred according to the frequency outlined in the case plan, and the statistical validity of the case review is not in question.

### Visitation 6.4b: Parent-Child Visitation

#### Review of Sampling Syntax and Statewide Sample

The Data Validator pulled a random sample of 361 cases (of 5,138 total statewide) involving children in out-of-home placements with a goal of reunification. Each sampled case was reviewed by a member of the DCYF Quality Review team in order to evaluate whether visitation between the child and parent occurred at the frequency required in the child's case plan, excepting cases where parents are not attending visits despite DCYF employing measures to maximize the parents' ability to participate in the visit. This methodology excluded children entering care during the final sixty days of the period since those children were not in care long enough for a case plan to be developed during the period.

Of the 361 cases reviewed, 116 cases (32.13%) were found to have visitation between the parent and the child that occurred at least as often as what was required by the case plan. Similar to Measure 6.3b, cases where the appropriate frequency of visits between the parent and child was not specified in the case plan were also counted as non-compliant on this measure. This outcome falls short of the 85 percent threshold described in Section 6.4b of the Settlement Agreement.

#### Case Reviews

PCG conducted a second-level review of 120 cases reviewed by DCYF which were found to have had all parental visitations required by the case plan and evaluated whether that visitation did occur; in all cases, PCG verified that DCYF's findings were accurate.

### Statistical Validity of Samples

DCYF evaluated outcomes for 361 of the 5,138 eligible cases statewide (representing 7.03 percent of the statewide universe); this sample is statistically valid with 95 percent confidence and a margin of error of  $\pm 4.97$  percent. The number of cases reviewed resulted in a margin of error that surpasses the standard agreed upon by DCYF and the Monitoring Team, as described in Appendix A (“Monitoring Team Proposed Agreement on Sample Sizes”).

Of the 361 cases reviewed by DCYF, PCG conducted a second-level review of 120. That exceeds the 111 cases that are required, per the methodology described in Appendix A, to ensure 95 percent confidence that errors occurring in at least 2.5 percent of cases are identified during the review.

Under the terms of Section 7 of the Settlement Agreement, DCYF is being evaluated on the extent to which non-kinship foster homes into which children have been placed are appropriately licensed; that background checks are conducted for all members of a prospective foster home who are age 18 or older; that kinship foster home license applications are completed in a timely manner; and that background checks are conducted in a timely manner for all foster homes for which a license is due for renewal and in which a child is placed during the Reporting Period.

Four outcome measures are described in the Settlement Agreement:

**Licensing 7.1:** No child may be placed in a non-kinship home without an active license, unless the placement was made pursuant to an order of the Rhode Island Family Court. DCYF must achieve a successful outcome in 100 percent of placements into a non-kinship home during the Reporting Period.

**Licensing 7.2:** No child may be placed into a prospective kinship foster home (that is, one where licensure is pending) unless background checks have been conducted for all household members aged 18 or older, excepting those instances where the placement was made pursuant to an order of the Rhode Island Family Court. DCYF must achieve a successful outcome in 100 percent of placements into a foster home during the Reporting Period where licensure is pending.

**Licensing 7.3:** Kinship foster home licensing applications must be completed within six months of the date of application. DCYF must achieve a successful outcome in 95 percent of applications where the licensing application was submitted during the Reporting Period.

**Licensing 7.4:** DCYF must conduct background checks for all household members aged 18 or older in foster homes within 30 days of the date that the home's licensure renewal is due. DCYF must achieve a successful outcome in 85 percent of licensing renewals where the renewal was due during the Reporting Period.

After attaining the goals described above for two consecutive six-month periods, DCYF shall exit from monitoring under Section 7 of the Settlement Agreement.

### Licensing 7.1: Licensing of Non-Kinship Placements

Review of Universe Syntax and Statewide Outcome

DCYF identified 322 placements into a non-kinship foster home during the Reporting Period. In each of those 322 placements, DCYF identified that the non-kinship foster home was licensed during the entire time the child was placed there during the Reporting Period, resulting in a statewide outcome of 100 percent. This meets the 100 percent threshold described in the Settlement Agreement.

#### Case Reviews

PCG identified a random sample of 120 placements into a non-kinship foster home occurring during the Reporting Period and conducted a qualitative review in order to verify that the foster home license was active the entire period the child was placed in that home during the Reporting Period. In each of the 120 placements reviewed, PCG found that the foster home license was active for the entire timeframe under review.

#### Statistical Validity of Samples

Since DCYF evaluated outcomes for all 322 eligible cases statewide, the statistical validity of those results is not in question. Of the 322 cases reviewed by DCYF, PCG conducted a second-level review of 120. That exceeds the 100 cases that are required, per the methodology described in Appendix A, to ensure 95 percent confidence that errors occurring in at least 2.5 percent of cases are identified during the review.

### Licensing 7.2: Background Checks for Kinship Homes

#### Review of Universe Syntax and Statewide Outcome

DCYF identified 183 placements into a kinship foster home during the Reporting Period where the foster home was pending licensure. In 180 of those 183 placements, DCYF identified that background checks had been conducted for all household members aged 18 or older, resulting in a statewide outcome of 98.36 percent. This outcome falls short of the 100 percent threshold described in Section 7.2 of the Settlement Agreement.

#### Case Reviews

PCG identified a random sample of 120 placements into a foster home occurring during the Reporting Period where the foster home was pending licensure and conducted a qualitative review in order to identify whether background checks had been conducted on all household members aged 18 or older. In each of the 120 placements reviewed, PCG found that the outcome reported by DCYF was accurate.

#### Statistical Validity of Samples

Since DCYF evaluated outcomes for all 183 eligible cases statewide, the statistical validity of those results is not in question. Of the 183 cases reviewed by DCYF, PCG conducted a second-level review of 120. That exceeds the 96 cases that are required, per the methodology described in Appendix A, to ensure 95 percent confidence that errors occurring in at least 2.5 percent of cases are identified during the review.

### Licensing 7.3: Timely Completion of Kinship License Applications

#### Review of Universe Syntax and Statewide Outcome

As this measure evaluates DCYF's compliance over a six-month timeframe, measured prospectively from the time each kinship home submits its application for licensure, analysis of this measure includes a "lag" of one full Reporting Period behind other outcomes measured as a result; that is, when evaluating outcomes for the seventh Reporting Period (July 1, 2021 – December 31, 2021) DCYF and PCG examined kinship licensing applications submitted between January 1, 2021 – June 30, 2021, which under the terms of the Settlement Agreement must each be completed by December 31, 2021 (the end of the seventh Reporting Period).

DCYF identified 103 kinship home applications filed during the prior Reporting Period. Of those 103 kinship licensing applications, DCYF completed the application within six months for 78 applications, resulting in a statewide outcome of 75.73 percent. This falls short of the 95 percent threshold described in Section 7.3 of the Settlement Agreement.

#### Case Reviews

PCG conducted a qualitative review on each of the 78 applications meeting the criteria outlined in the Settlement Agreement in order to verify that the application was completed within the six-month timeframe described in Section 7.3 of the Settlement Agreement. In each of the 78 applications reviewed, PCG found that the outcome reported by DCYF was accurate.

#### Statistical Validity of Samples

DCYF evaluated outcomes for all 103 applicable kinship home applications submitted statewide during the prior Reporting Period, and the statistical validity of those results is not in question. Based on the 78 successful applications evaluated by PCG for the seventh Reporting Period, 75 applications would need to be reviewed in order to achieve the recommended level of statistical confidence in the results. As PCG reviewed all 78 successful cases for the sixth Reporting Period, further adjustments to the sample size are not required.

### Licensing 7.4: Background Checks within 30 Days of License Renewal

#### Review of Universe Syntax and Statewide Outcome

DCYF identified 93 foster homes where the license was due for renewal during the seventh Reporting Period, and a child was placed in the home during the Reporting Period. For 86 of those 93 foster homes, DCYF identified that background checks were conducted for all household members aged 18 or older within 30 days of the due date for the renewal, and that a home inspection was conducted within 30 days of that same due date. This statewide outcome of 92.47 percent exceeds the 85 percent threshold described in Section 7.4 of the Settlement Agreement.

#### Case Reviews

PCG conducted a review of all 86 foster homes where DCYF's performance was evaluated as a "success" on this measure in order to identify whether background checks had been conducted on all household members aged 18 or older, and whether a home inspection had been conducted within 30 days of the license due date. In each of the 86 cases reviewed, PCG found that the outcome reported by DCYF was accurate.

#### Statistical Validity of Samples

DCYF evaluated outcomes for all 93 applicable licensure renewals due during the Reporting Period, and the statistical validity of those results is not in question. During the seventh Reporting Period, the size of the universe of licensure renewals coming due where DCYF identified timely completion of background checks (86 renewals) was sufficiently small that PCG conducted a case review of all successful cases.

### Corrective Action Plan Status

As previously noted, Section C(3) of the Settlement Agreement requires DCYF to author a Corrective Action Plan when it does not meet any of the Commitments outlined in the Settlement



Agreement for two consecutive Reporting Periods. DCYF has not met the standards described in Section 7, and DCYF has submitted a Section 7 Corrective Action Plan to the Monitoring Team.

## SECTION 8: CHILD PROTECTIVE SERVICES

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Under the terms of Section 8 of the Settlement Agreement, DCYF was being evaluated on the extent to which DCYF screens in reports of abuse or neglect in a timely manner; whether they respond to screened-in reports in a timely manner; and whether they complete their investigation of screened-in reports in a timely manner.

During the fifth and sixth Reporting Periods, DCYF met or exceeded the threshold described for each of the three measures described in Section 8 of the Settlement Agreement. On March 2, 2022, DCYF submitted a “Notice of Exit” to the Court indicating its exit from the terms of Section 8 of the Settlement Agreement, and DCYF is no longer subject to monitoring under the terms of Section 8.

## SECTION 9: FOSTER CARE MAINTENANCE PAYMENTS

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Under the terms of Section 9 of the Settlement Agreement, DCYF is tasked with assessing the base rates for foster care maintenance payments. Should that assessment indicate that a rate adjustment is needed, DCYF is responsible for advocating with the Rhode Island General Assembly for additional appropriations to cover the increase. DCYF is also required to amend the Rhode Island Administrative Code to reflect that this reassessment of foster care maintenance payments must occur every three years.

DCYF has attested to the fact that each of these tasks were completed. On March 19, 2021, DCYF submitted a "Notice of Exit" to the Court requesting to exit from the terms of Section 2 of the Settlement Agreement. That notice was approved by the Court on March 29, 2021, and DCYF is no longer subject to monitoring under the terms of Section 9.

## SECTION 10: CASE PLANNING

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Under the terms of Section 10 of the Settlement Agreement, DCYF is being evaluated on the extent to which DCYF have case plans that meet the timeliness requirements outlined by federal statute and include the elements that are required under the Adoption Assistance and Child Welfare Act (AACWA) of 1980.<sup>6</sup>

Two outcome measures are described in the Settlement Agreement:

**Case Planning 10.2:** DCYF must ensure that children in the legal custody of DCYF have case plans that meet the timeliness requirements enumerated in 42 U.S.C. §670 *et seq.* DCYF must achieve a successful outcome in 80 percent of children served in out-of-home care during the Reporting Period.

**Case Planning 10.3:** Children in out-of-home care during the Reporting Period must have in their case plans the elements required by AACWA. DCYF must draw a random sample of eligible cases to review and must achieve a successful outcome in 80 percent of reviewed cases.

After attaining the goals described above, as well as the goals described under Sections 6.3b and 6.4b, for two consecutive six-month periods, DCYF shall exit from monitoring under Section 10 of the Settlement Agreement.

### Case Planning 10.2: Timeliness of Case Plans

#### Review of Universe Syntax and Statewide Outcome

DCYF identified 1,836 children served in out-of-home care during the seventh Reporting Period. Of those, 97 children were not in care for at least sixty days during the Reporting Period and were excluded from the measure. DCYF reviewed the remaining 1,739 cases and found that in 1,230 cases (70.73%) the child had a case plan that met the timeliness requirements dictated by statute – specifically, that the initial case plan was completed within 60 days of the child’s removal from the home or had been updated at least every six months following the initial plan. This falls short of the 80 percent threshold described in Section 10.2 of the Settlement Agreement.

#### Case Reviews

PCG identified a random sample of 120 children served during the period for whom DCYF found that the case plan had been updated in a timely manner (i.e., “successful” cases) and conducted a case review in order to verify that the case plan was created or updated within the timeframe

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<sup>6</sup> 42 U.S.C. §675(1) requires that case plans include a description of the type of setting in which a child will be placed, including a discussion of the safety and appropriateness of the placement; a plan for ensuring that the child receives safe and proper care and that the child, their parents and their foster parents receive appropriate services to facilitate reunification or permanent placement; the health and educational status of the child; a written description of transitional services to be provided to children 14 years of age or older; the steps being taken for children with a goal of adoption or placement in another permanent home to find a permanent living arrangement for the child; the steps taken on behalf of children with a goal of relative placement to determine the unsuitability of a reunification or adoption and why relative placement is in the child’s best interest; and a plan for ensuring the educational stability of the child while in out-of-home care.

described by DCYF. In each of the 120 cases reviewed, PCG found that the outcome reported by DCYF was accurate.

#### Statistical Validity of Samples

DCYF evaluated outcomes for all 1,739 eligible cases statewide, and the statistical validity of those results is not in question. Based on the size of the statewide universe of children served in out-of-home care during the seventh Reporting Period, 116 cases would need to be reviewed in order to achieve the level of statistical confidence recommended by the Monitoring Team. As PCG reviewed 120 reports during the seventh Reporting Period, this level of statistical confidence was achieved, and no further reviews are necessary.

### Case Planning 10.3: Case Plan Required Elements

#### Review of Sampling Syntax and Statewide Sample

The Data Validator pulled a random sample of 310 cases of children in care at any point during the first four months of the period. Each randomly sampled case was reviewed by a member of the DCYF Quality Review team in order to evaluate whether the case plan included all of the elements required by AACWA. This methodology excluded children entering care during the final sixty days of the period since those children were not in care long enough for a case plan to be developed during the period, the timeframe for developing that case plan is sixty days.

Of the 310 cases, 49 were found to include all elements required by AACWA. This outcome of 15.81 percent falls short of the 80 percent threshold described in Section 6.2 of the Settlement Agreement.

#### Case Reviews

PCG identified a random sample of 120 children served during the period for whom DCYF found that the case plan included each of the elements required under AACWA (i.e., “successful” cases) and conducted a case review in order to verify that the case plan was created or updated within the timeframe described by DCYF. In each of the 120 cases reviewed, PCG found that the outcome reported by DCYF was accurate.

#### Statistical Validity of Samples

DCYF evaluated outcomes for 310 of the 1,673 eligible cases statewide (representing 18.53 percent of the statewide universe); this sample is statistically valid at a 95 percent confidence level with a margin of error of  $\pm 5.03$  percent. As described in Appendix A, the number of cases reviewed were insufficient to achieve the five percent margin of error recommended by the Data Validator.

Based on the 310 cases that DCYF reviewed during the seventh Reporting Period, the Data Validator would need to review 109 cases in order to achieve the recommended level of statistical confidence in the results. As PCG reviewed 120 cases for the seventh Reporting Period, this level of statistical confidence was achieved.

## SECTION 11: MALTREATMENT IN CARE

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Under the terms of Section 11 of the Settlement Agreement, DCYF is required to conduct an annual assessment of substantiated reports of abuse or neglect occurring during the preceding twelve (12) months, including those occurring to a child who was placed in an unlicensed kinship setting. The report will identify any systemic factors that may have contributed to the abuse/neglect, and DCYF is required to make this report publicly available, including the results of the assessment of substantiated reports, as well as recommendations for corrective actions recommended to ensure the safety of children in foster care.

DCYF, consistent with its obligations under the terms of Section 11 of the Settlement Agreement, has published on its website<sup>7</sup> its “Annual Safety Report<sup>8</sup>” for Federal Fiscal Years<sup>9</sup> 2018, 2019, 2020 and 2021; each of those reports has a section entitled “Maltreatment in Foster Care (Out-of-Home Placements)” in which data regarding indicated maltreatment data from the three most recent years are presented, including an assessment of the factors impacting each substantiated report, including the type of abuse or neglect, the location of the child’s placement and the relationship of the perpetrator to the child victim. In addition, each of those reports outlines the recommendations of the Department intended to reduce incidences of maltreatment in foster care, as well as the length of time each child spent in placement prior to the incident.

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<sup>7</sup> <http://www.dcyf.ri.gov/data-evaluation/safety-data-reports.php>

<sup>8</sup> Through FFY 2020, the report was titled “Annual Safety Analytic Report.”

<sup>9</sup> The Federal Fiscal year (FFY) begins October 1 and continues through September 30 of the following year. FFYs are “named” based on the calendar year in which the FFY ends. For example, FFY 2021 ended September 30, 2021.

## SECTION 12: FOSTER HOME ARRAY

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Under the terms of Section 12 of the Settlement Agreement, DCYF is required to develop an annual recruitment and retention plan for foster homes. Under the terms of Section 12, this recruitment and retention plan must include specific targets regarding the number of foster homes to be recruited, including sub-targets for specific populations, such as adolescents, as well as populations with special needs including children with disabilities and medically fragile children. It will also include retention strategies geared toward reducing attrition among foster care providers, such as respite homes, enhanced training opportunities for foster parents, and increased visitation with foster parents.

The Settlement Agreement requires that a Foster Care Recruitment and Retention Plan be developed in conjunction with the Monitoring Team, and to be updated on an annual basis. The Department's initial plan was published in 2019; as outlined in previous Monitoring Team reports, the Monitoring Team provided extensive feedback to the Department on the content and structure of the Plan and recommended including quantitative targets describing the efforts DCYF would make in future years.

The Settlement Agreement also requires that the Department draft an annual, public report assessing the implementation of the plan over the previous twelve (12) months and identify any systemic factors that may have contributed to any shortfall in recruitment. The annual report should provide the number of homes recruited and retained by category, the number of homes recruited in each category during the implementation period, and the total number of homes available for child placement in each of the categories at the beginning and end of the 12-month period. In June 2021, in consultation with the Monitoring Team, DCYF developed and published its 2021 *Statewide Plan for the Recruitment and Retention of Foster Families*<sup>10</sup>.

The Monitoring Team understood that following the release of the 2021 Statewide Plan that DCYF would begin collecting data throughout the year in order to set a baseline for its improvement efforts, and that the data would be provided to the Monitoring Team to inform its targets for the 2022 Plan update.

On May 5, 2022, DCYF's Licensing Unit provided the OCA with a copy of the 2022 Recruitment and Retention Plan draft via email and requested a meeting to discuss the draft. The OCA indicated that the Data Validator needs to be included in the review of the draft document and be part of the requested meeting. During the email correspondence to schedule the meeting, the Monitoring Team indicated they had not "received any report pertaining to progress or outcomes with respect to the targets and goals set in the prior recruitment and retention plan" from 2021. DCYF indicated there would be a reflection document forthcoming once reviewed by DCYF's Data Improvement & Performance Division.

The Monitoring Team received DCYF's draft 2021 Reflection Document on May 20, 2022. The baseline data that the Monitoring Team anticipated was not readily available, and a follow-up meeting was held on June 28, 2022, between the Monitoring Team and DCYF's Licensing

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<sup>10</sup> <http://www.dcyf.ri.gov/documents/news/Statewide%20Recruitment%20Planning%20FINAL%20672021.pdf>

Department to discuss the 2021 Reflection Document and proposed 2022 Recruitment and Retention Plan draft document. During the meeting on June 28, 2022, the Monitoring Team expressed that it would be premature to review the 2021 Reflection Document, as the period of performance described in the 2021 Plan does not end until June 30, 2022. The Monitoring Team also noted that the 2021 Reflection Document did not include critical pieces of data for validation and review. The Monitoring Team reviewed with the current Licensing Department team the data that were anticipated and submitted a formal data request (attached as Appendix B) to DCYF to fill in the data gaps.

The Monitoring Team highlighted the importance of including comprehensive data in the 2021 Reflection Document which will directly inform the finalization of the 2022 Recruitment and Retention Plan goals and targets.

As of September 30, 2022, the data requested by the Monitoring Team has not yet been provided. DCYF has also failed to respond to the Monitoring Team's follow up inquiries regarding the data request. Due to the failure to provide the required data, which is necessary not only as defined by the Settlement Agreement but imperative for the development process of the Recruitment and Retention Plan for 2022, DCYF is not in compliance with Section 12 of the Settlement Agreement for Reporting Period 7.

Once those data are received, the Monitoring Team will work with DCYF's Licensing Department to complete the validation, analysis, review, and finalization of the 2022 Recruitment and Retention Plan document and will present in its findings regarding outcomes in a future report in compliance with our role and responsibilities outlined in the Settlement Agreement.

## Report Status

As noted above, DCYF's is not in compliance with the requirements of Section 12 of the Settlement Agreement due to the open status of the request for data pursuant to the annual assessment of implementation efforts and supporting its 2022 Recruitment and Retention Plan update.

DCYF's obligation to continue to work toward those targets and provide annual updates to the report will continue until such time as it exits each of Sections 1-10 of the Settlement Agreement.



**Section 1: Assessments** – DCYF is no longer subject to monitoring under the terms of Section 1.

**Section 2: Placement in Assessment and Stabilization Centers (ASC)** – DCYF is no longer subject to monitoring under the terms of Section 2.

**Section 3: Placement in Congregate Care** – DCYF is no longer subject to monitoring under the terms of Section 3.

**Section 4: Sibling Placements** – DCYF is no longer subject to monitoring under the terms of Section 4.

**Section 5: Case Management** – No additional outcome measures – beyond those described in Sections 6 and 10 – are defined in Section 5 of the Settlement Agreement. As DCYF did not meet the benchmarks described in Section 6 for Reporting Periods 2 and 3, the Department is responsible for conducting a workload study in consultation with the Monitoring Team. That workload study was completed, and the results were presented to DCYF leadership on June 30, 2022. DCYF requested that PCG conduct additional analyses incorporating updated caseload data; that analysis has been completed and was presented to DCYF leadership on September 21, 2022.

**Section 6: Visitation** – The Department is no longer subject to monitoring under the terms of Section 6.1. The Department did not achieve the threshold for Sections 6.2, 6.3 and 6.4 (; Quality of face-to-face visits, Target - 85%, Validated Performance – 23.71%; Frequency of sibling visitation, Target - 85%, Validated Performance - 27.62%; Frequency of parent visitation (reunifications), Target - 85%, Validated Performance – 32.13%).

**Section 7: Licensing** – The Department did not fully achieve the threshold (Non-kinship placements must be licensed, Target - 100%, Validated Performance - 100.0%; Background checks required for kinship homes, Target - 100%, Validated Performance - 98.36%; Kinship applications completed within six months, Target - 95%, Validated Performance – 75.73%; Background checks completed within 30 days of license renewal date, Target - 85%, Validated Performance – 92.47%).

**Section 8: Child Protective Services** – DCYF is no longer subject to monitoring under the terms of Section 8.

**Section 9: Foster Care Maintenance Payments** – DCYF is no longer subject to monitoring under the terms of Section 9.

**Section 10: Case Planning** – The Department did not achieve the threshold (Case plans meet timeliness requirements, Target - 80%, Validated Performance - 70.73%; AACWA elements in case plan, Target - 80%, Validated Performance – 15.81%).

**Section 11: Maltreatment in Care** – DCYF has authored and published on its website its “Annual Safety Report” for Federal Fiscal Years 2018 – 2021, each of which contains an analysis of the prior three years’ worth of data. DCYF is currently meeting the requirements of Section 11 of the Settlement Agreement.

**Section 12: Foster Home Array** – DCYF’s report summarizing its findings from State Fiscal Year (FY) 2018–2019 has been published by DCYF on its website as the *FY 2019 Resource Family Recruitment Plan Reflection Summary* and subsequently revised as *2021 Statewide Plan for the Recruitment and Retention of Foster Families*. As of September 30, 2022, the Monitoring Team’s request for supporting documentation regarding the 2022 update is still outstanding, and DCYF is not in compliance with the terms of Section 12.

The Monitoring Team is presenting this report in compliance with their role and responsibilities outlined in the Settlement Agreement.

## APPENDIX A: MONITORING TEAM PROPOSED AGREEMENT ON SAMPLE SIZES

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### Introduction

As outlined in the Settlement Agreement reached in the case of *Andrew C. v. Raimondo*, the Monitoring Team is comprised of the Rhode Island Office of the Child Advocate (OCA) and the Data Validator. The Data Validator has since been hired by the Rhode Island Department of Children, Youth and Families (DCYF) and can be identified as Public Consulting Group LLC. (PCG). As outlined in Section 2(d) of the Settlement Agreement, the Data Validator is the "...final arbiter of the timeliness, accuracy of the methodology, as well as the statistical validity and reliability of the DCYF data..." As outlined in Section 2(f) of the Settlement Agreement, the Office of the Child Advocate (OCA) shall provide oversight to the commitments in the Agreement. The OCA "...shall receive and review the progress reports that have been determined to be valid and reliable by the Data Validator." The OCA "...shall confirm whether the commitment has been met or not met."

As part of the terms of the Settlement Agreement, DCYF must measure its performance on a series of outcomes designed to ensure that children in out-of-home care due to an allegation of abuse or neglect receive the highest possible level of care. These outcomes include measures designed to ensure that children are placed in the most appropriate placement setting; that steps are taken to ensure each child's connection to his or her family is maintained; that foster homes are properly licensed and that background checks are completed for all household members; that reports of abuse or neglect are screened in, investigated, and completed in a timely manner; and that case plans for children in out-of-home care are updated in a timely manner and contain the elements required by law.

Of the twenty measures that are described in the Settlement Agreement, DCYF's performance during the first two Reporting Periods exceeded the Settlement Agreement's standards in five outcomes related to (i) placements in Assessment & Stabilization Centers; and (ii) placement in congregate settings, allowing the Department to exit from Sections 2 and 3 of the Settlement Agreement. From the third Reporting Period through the present day, therefore, DCYF remains subject to monitoring on fifteen measures.

The Monitoring Team has issued four reports summarizing the statewide outcomes from each of the first four Reporting Periods.<sup>11</sup> In those reports, the Monitoring Team raised several concerns regarding the statistical validity of the findings, especially on those measures where statewide performance is being estimated through a review of a random sample of cases. In response to those concerns, DCYF and the Data Validator have negotiated a series of mutually agreeable sample sizes that will result in an acceptable level of statistical confidence in the results. The standards applied will vary, depending on the nature of the review:

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<sup>11</sup> Each Reporting Period (RP) corresponds to a six-month period: **RP1** was July 2018-December 2018; **RP2** was January 2019-June 2019; **RP3** was July 2019-December 2019; **RP4** was January 2020-June 2020. As of April 2021, DCYF performance during **RP5** (July 2020-December 2020) and **RP6** (January-June 2021) is still under review.

- **DCYF Quality Review (QR), Qualitative Measures:** DCYF will review a sufficient number of cases to achieve 90 percent confidence that the results of the review are within five percentage points of the true statewide outcome;<sup>12</sup>
- **DCYF Quality Review, Quantitative Measures:** DCYF will review a sufficient number of cases to achieve 95 percent confidence that the results of the review are within five percentage points of the true statewide outcome;
- **PCG Review of DCYF Quality Reviews:** PCG will review a sufficient number of cases to ensure 95 percent confidence in finding any errors that occur in at least 2.5 percent of cases; and
- **PCG Review of Syntax-Derived Measures:** PCG will review a sufficient number of cases to ensure 95 percent confidence in finding any errors that occur in at least 2.5 percent of cases.

Please note that the Monitoring Team will not finalize approval regarding any change in methodology until a discussion is had with all parties regarding the Monitoring Team’s proposal outlined herein to ensure all are in agreement. Should all parties agree upon the revised methodology outlined herein, DCYF will have discretion as to whether the criteria are to be applied retroactively to data collected during the first four Reporting Periods, or only to cases currently<sup>13</sup> being reviewed by DCYF and/or PCG from Reporting Periods 5 and 6 and all future Reporting Periods. The Monitoring Team will only be able to accept as statistically valid, however, those case reviews meeting the minimum levels of statistical confidence described in this document, regardless of the Reporting Period for which the reviews were conducted.

### DCYF Quality Review, Two Qualitative Measures

**Proposed Resolution:** DCYF will review a sufficient number of cases to achieve 90 percent confidence that the results of the review are within five percentage points of the true statewide outcome.

**Measures Impacted:** 4.1 (Sibling Placement)  
6.2 (Quality of Caseworker Visitation)

Under the terms of the Settlement Agreement, DCYF is required for five measures to estimate statewide outcomes through a Quality Review process via which trained DCYF reviewers evaluate a sample of cases in order to estimate the statewide outcome. Of those five measures, two involve a subjective determination by the reviewer whether the case should be included in the analysis, and whether DCYF’s performance on the case complies with the standards described in the Settlement Agreement:

- **Measure 4.1** requires DCYF to evaluate whether siblings removed from the home are placed together for those cases where such co-placement is deemed appropriate; and

<sup>12</sup> For those measures where DCYF conducts a Quality Review of a sample of cases, the statewide outcome is only an estimate of the true statewide outcome – and larger sample sizes result in estimates that are closer to the true outcome for the full population. Therefore, when estimating statewide outcomes by evaluating a sample of cases, one can only say that the results are [X] percent likely to be within [Y] percentage points of the “true” statewide outcome.

<sup>13</sup> As of April 2021.

- **Measure 6.2** requires DCYF to evaluate whether the quality of caseworker visitation with children placed out of the home meets the standards employed by federal reviewers during a Child & Family Services Review (CFSR).

For reviews in which trained reviewers are making a subjective determination regarding the case’s eligibility and the outcome, a sample size that will achieve 90 percent confidence that the results are within five percentage points of the “true” statewide outcome is sufficient.

The number of reviews to be conducted in order to achieve that minimum level of statistical validity will vary between measures and across Reporting Periods based on the size of the eligible population of children during the period. Table 1, below, illustrates how the number of cases to be reviewed by DCYF to achieve 90 percent confidence that the results of the review are within five percentage points of the true statewide outcome will necessarily vary, based on the size of the statewide universe. The number of reviews required of DCYF for the two qualitative measures are also included (highlighted in **bold red**), based on the size of each case universe during the fifth Reporting Period:

Universe Size	# Reviews to Achieve 90% CL w/ 5% MOE
50	43 reviews
100	74 reviews
200	116 reviews
300	143 reviews
<b>309 (4.1)</b>	<b>145 reviews</b>
500	176 reviews
1,000	213 reviews
<b>1,888 (6.2)</b>	<b>237 reviews</b>
5,000	257 reviews
10,000	264 reviews

*Table 1: Number of Reviews Required in Order to Achieve 90% Confidence in Results within a margin of error of 5 percentage points*

Again, the Monitoring Team notes that the size of the eligible case universe will vary across measures, and across Reporting Periods; therefore so too will the minimum sample sizes required to achieve the agreed-upon levels of statistical confidence in the results.

## DCYF Quality Review, Three Quantitative Measures

**Proposed Resolution:** DCYF will review a sufficient number of cases to achieve 95 percent confidence that the results of the review are within five percentage points of the true statewide outcome.

**Measures Impacted:** 6.3b (Frequency of Sibling Visitation)  
 6.4b (Frequency of Parent-Child Visitation in Reunification Cases)  
 10.3 (Case Plan Required Elements)

As described above, DCYF is required for five measures to estimate statewide outcomes through a Quality Review process via which trained DCYF reviewers evaluate a sample of cases in order to estimate the statewide outcome. Of those five measures, three involve an objective determination by the reviewer whether DCYF’s performance on the case is compliant with the standards described in the Settlement Agreement, and do not involve any kind of subjective evaluation of compliance:

- **Measure 6.3b** requires DCYF to evaluate whether the frequency of visitation between siblings in out of home care is consistent with the frequency of visitation described in the siblings’ case plans;
- **Measure 6.4b** requires DCYF to evaluate whether the frequency of visitation between parents and a child in out-of-home care who have a case plan goal of reunification is consistent with the frequency of visitation described in the child’s case plans; and
- **Measure 10.3** requires DCYF to evaluate whether the case plans for children in out-of-home care reference all elements enumerated in the Adoption Assistance and Child Welfare Act of 1980 (AACWA)

For reviews in which trained reviewers are making an objective determination regarding the case’s eligibility and the outcome, a sample size that will achieve 95 percent confidence that the results are within five percent of the “true” statewide outcome is sufficient.

Again, as the number of reviews to be conducted in order to achieve that minimum level of statistical validity will vary between measures and across Reporting Periods based on the size of the eligible population of children during the period, Table 2, below, illustrates how the number of cases to be reviewed by DCYF will necessarily vary to achieve 95 percent confidence that the results of the review are within five percentage points of the true statewide outcome. The number of reviews required of DCYF for the three quantitative measures are also included (highlighted in **bold red**), based on the size of each case universe during the fifth Reporting Period:

<b>Universe Size</b>	<b># Reviews to Achieve 95% CL w/ 5% MOE</b>
50	45 reviews
100	80 reviews
<b>183 (6.3b)</b>	<b>124 reviews</b>
200	132 reviews
300	169 reviews
500	218 reviews

Universe Size	# Reviews to Achieve 95% CL w/ 5% MOE
1,000	278 reviews
<b>1,165 (6.4b)</b>	<b>289 reviews</b>
<b>1,888 (10.3)</b>	<b>320 reviews</b>
5,000	357 reviews
10,000	370 reviews

Table 2: Number of Reviews Required in Order to Achieve 95% Confidence in Results within a margin of error of 5 percentage points

Again, the Monitoring Team notes that the size of the eligible case universe will vary among the three measures, and across Reporting Periods; therefore so too will the minimum sample sizes required to achieve the agreed-upon levels of statistical confidence in the results.

### Data Validator Second-Level Review, All Measures

**Proposed Resolution:** The Data Validator will review a sufficient number of cases to achieve 95 percent confidence that any systematic errors that occur in no more than 2.5 percent of cases will be found.

**Measures Impacted:** All measures

On all measures, the Data Validator conducts a second-level review of cases in order to evaluate whether the findings reported by DCYF are consistent with the activity on the case and the requirements outlined in the Settlement Agreement. This second-level review impacts both:

- **Second-Level Review of DCYF Quality Reviews** that are conducted to evaluate the findings reported on the five previously described measures where statewide performance is estimated via a sample; and
- **Second-Level Review of Computationally Derived Outcomes (CDOs)** that are conducted to evaluate the findings reported for those measures where DCYF's performance for the entire universe of eligible cases is calculated by way of query syntax executed against the data recorded in the statewide case management system.

These second-level reviews, during which trained PCG reviewers evaluate the accuracy of the outcome reported by DCYF, are conducted on each of the fifteen measures still active under the terms of the Settlement Agreement. Table 3 below outlines for each measure the nature of the second-level review conducted by the Data Validator:

Measure	Purpose of Second-Level Review
Assessments 1.1: Assessments completed	Verify CDOs <sup>14</sup>
Sibling Placement 4.1: Siblings placed together	Verify DCYF Quality Review
Visitation 6.1: Monthly caseworker face-to-face visits	Verify CDOs
Visitation 6.2: Quality of face-to-face visits	Verify DCYF Quality Review

<sup>14</sup> Computationally Derived Outcomes



<b>Measure</b>	<b>Purpose of Second-Level Review</b>
Visitation 6.3b: Frequency of sibling visitation	Verify DCYF Quality Review
Visitation 6.4b: Frequency of parent visitation (reunifications)	Verify DCYF Quality Review
Licensing 7.1: Non-kinship placements must be licensed	Verify CDOs
Licensing 7.2: Background checks required	Verify CDOs
Licensing 7.3: Kinship applications completed within six months	Verify CDOs
Licensing 7.4: Background checks for family members	Verify CDOs
CPS 8.1: Timely screening of reports of abuse/neglect	Verify CDOs
CPS 8.2: Response within designated timeframes	Verify CDOs
CPS 8.3: Investigations completed within designated timeframes	Verify CDOs
Case Planning 10.2: Case plans meet timeliness requirements	Verify CDOs
Case Planning 10.3: AACWA elements in case plan	Verify DCYF Quality Review

*Table 3: Purpose of Data Validator Reviews*

For each of the fifteen measures, the purpose of the second-level review is to identify whether there are any systematic errors in DCYF's methodology (whether driven by Quality Review procedures or syntax). While the only way to verify that no such systematic errors exist would be to review every case evaluated by DCYF, one can again achieve a certain level of confidence that, should any errors exist, they are likely to be found with a certain degree of confidence.

For each of the fifteen measures for which the Data Validator is conducting a second-level review of outcomes reported by DCYF (whether derived from syntax or a Quality Review), the sample of cases reviewed should be sufficiently large that there is 95 percent confidence that any systematic errors that occur in at least 2.5 percent of cases will be identified during the review.

As was previously described relative to the size of DCYF's Quality Review samples, as the number of these second-level reviews will vary between measures and across Reporting Periods based on the size of the eligible population of children during the period. This statewide universe size will be either (a) the size of the DCYF Quality Review sample for those five measures so evaluated; or (b) the full statewide universe of eligible cases for the remaining ten measures, depending on how the outcomes are evaluated.

Table 4, below, illustrates how the number of cases to be reviewed by the Data Validator will vary based on the size of the statewide universe of cases evaluated. The number of reviews to be conducted by the Data Validator on each measure is also included, based on the size of each case universe during the fifth Reporting Period:

<b>Measure</b>	<b>Purpose of Second-Level Review</b>	<b>Size of Statewide Universe or DCYF QR Sample</b>	<b># Data Validator Reviews to Achieve 95% CL in Finding Errors Occurring at Rate of 2.5% or Higher</b>
Assessments 1.1	Verify CDOs	446	106
Sibling Placement 4.1	Verify DCYF QR	145	91
Visitation 6.1	Verify CDOs	2,223	117

<b>Measure</b>	<b>Purpose of Second-Level Review</b>	<b>Size of Statewide Universe or DCYF QR Sample</b>	<b># Data Validator Reviews to Achieve 95% CL in Finding Errors Occurring at Rate of 2.5% or Higher</b>
Visitation 6.2	Verify DCYF QR	237	106
Visitation 6.3b	Verify DCYF QR	124	78
Visitation 6.4b	Verify DCYF QR	289	100
Licensing 7.1	Verify CDOs	580	111
Licensing 7.2	Verify CDOs	390	110
Licensing 7.3	Verify CDOs	133	84
Licensing 7.4	Verify CDOs	111	86
CPS 8.1	Verify CDOs	3,113	118
CPS 8.2	Verify CDOs	2,624	117
CPS 8.3	Verify CDOs	2,624	117
Case Planning 10.2	Verify CDOs	1,920	115
Case Planning 10.3	Verify DCYF QR	320	115

*Table 4: Number of Reviews Required in Order to Achieve 95% Confidence in Finding Systematic Errors that Occur in at Least 2.5 Percent of Cases, based on Size of Each Measure's Universe*

As noted in each of the preceding sections, the minimum sample sizes required to achieve the agreed-upon levels of statistical confidence in the results will vary across measures and Reporting Periods; so too must the number of second-level reviews conducted by the Data Validator vary in order to achieve the agreed-upon levels of statistic validity.

## Conclusion & Next Steps

The Monitoring Team thanks DCYF for their willingness to negotiate these sample sizes, which will help ensure that the findings being reported under the terms of the Settlement Agreement achieve a consistent level of statistical validity, as well as confidence on the part of all Parties that the commitments described in the Agreement are being evaluated consistently.

The Monitoring Team awaits notification from both Parties that the agreement described above is acceptable and will be used consistently going forward in all Reporting Periods currently under review (5 and 6) as well as all future Reporting Periods. Should both Parties concur with the details of this agreement, the Monitoring Team will further await notification from DCYF whether these revised standards will be employed for prior periods, or whether they will be employed beginning in Reporting Period #5 (which is currently being evaluated by the Data Validator) or Reporting Period #6 (which is currently being evaluated by DCYF Quality Review teams).

## APPENDIX B: MONITORING TEAM'S REQUEST FOR DATA SUPPORTING DCYF RECRUITMENT PLAN UPDATE

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Department of Children, Youth and Families  
Attention: Licensing and Data Evaluation  
101 Friendship Street  
Providence, RI 02903

### **RE: Recruitment and Retention Data**

July 19, 2022

Pursuant to the Recruitment and Retention Report filed for 2021, the Monitoring Team is seeking the following data to validate the progress made, work towards the publication of a progress report and inform the development of the 2022 Recruitment and Retention Plan. The Monitoring Team is seeking the following:

- A list of every licensed foster home (including private agency and DCYF foster homes) active as of June 30, 2022. We would like this list to include the following:
  - Licensing ID
  - Foster Parent Name and Address
  - Demographic Information
  - Number of Children placed in the home
    - Name, DOB and RICHIST # for any child placed in the home
  - Date of Licensure
- A list of every foster home active as of June 30, 2022 with a pending licensing application (if you have this information for both DCYF and private agencies we would like that information); when their application was submitted; and a list of outstanding items needed to complete licensure of the home a list of every licensed foster home (including private agency and DCYF foster homes). We would like this list to include the following:
  - Licensing ID
  - Foster Parent Name and Address
  - Demographic Information
  - Number of Children placed in the home
    - Name, DOB and RICHIST # for any child placed in the home
  - Date of Licensure
- A list of every foster home active as of June 30, 2022 with a pending licensing application (if you have this information for both DCYF and private agencies we would like that information);

their licensing ID; when their application was submitted; and a list of outstanding items needed to complete licensure of the home.

- List of all children in out-of-home placement
  - Name and RICHIST person ID
  - For those youth in foster homes, please identify them as kinship vs. non-kinship
  - Level of Need Score
  - For those youth in congregate care, which placement and type of placement
    - **NOTE: In the report provided to the Monitoring Team entitled “2021 Recruitment and Retention Plan Reflection May 2022”, on pages 4-5, item 4(a) provides a definition for “congregate care” that is inconsistent with the definition provided in the recent FY20 Permanency Report, which states, “Congregate care includes acute residential treatment, assessment & stabilization center, group home, medical hospital, psychiatric hospital, semi-independent living, RCC, residential treatment – substance abuse and residential treatment center”. If the Department does not plan to include semi-independent living as part of their congregate care analysis, then the baseline statistic must be recalculated so an accurate analysis can be completed.**
- Were the data points outlined in item 5 of the “2021 Recruitment and Retention Plan Reflection May 2022” tracked in previous years or was this the first year this data was recorded? If so, and these are considered to be the baseline for future targets set, the Monitoring Team would anticipate that specific targets are set for 2022 (not just a goal that they will increase but by how much).
  - Provide a list identifying the 37% of families who are identified as families that can support sibling placement. In this list, please note the date they were licensed, how many currently have placement and how many children are placed in each home.
  - In response to the item 5(b) in the Reflection Report, the Monitoring Team would like to understand why the Culture and Identity questionnaire was anonymous? This information could be extremely helpful with identifying placements and matching children with families that could be beneficial to the child. In future years there could be an increased use of this of this data.
    - The goal stated “increase the diversity of foster families who identified as part of the LGQBTQQAAP community”. Now that we have a baseline, please identify

how the Department plans to increase this population of foster families in 2022.

What steps will be taken to achieve this goal?

- Item 5(c), no baseline data was provided. This is a data point that should be tracked by the Department. We would request that further exploration into this data point be done with the data point to determine the following:
  - How many children were placed and experienced disruption in placement?
  - How does the Department track placement stability? Overall stability vs. negative disruptions?
  - How are you defining “negative disruptions”? Are disruptions defined in other ways?
- Item 5(d), please provide a copy of the survey used for review.
  - For 2022, we would recommend a focus on collecting this data before, during and after placement.
  - What are the strategies and specific plans to increase response rates?
- Item 5(e), the Monitoring Team anticipated the receipt of baseline data here in order to set specific targets for 2022. Provide any data collected on the retention of foster families. If none was collected, please provide an explanation as to why it was not.
- **Page 13 of the 2021 Recruitment and Retention Plan-Process Indicators**
  - The Monitoring Team is requesting the corresponding data for each of the process indicators listed on page 13.
- **Page 16 of the 2021 Recruitment and Retention Plan-Target Populations**
  - Provide baseline data for all of the target populations listed and indicate if the targets were met. If targets were not met, describe why not. We would like the data on these target populations for the following timeframes:
    - July 1, 2020-June 30, 2021
    - July 1, 2021-June 30, 2022
- **Page 17 of the 2021 Recruitment and Retention Plan**
  - Explain how exploration of these questions informed efforts and strategies? How is it changing efforts moving forward?
- **Page 18 of the 2021 Recruitment and Retention Plan-Planning and Operations**
  - The Monitoring Team is requesting corresponding data and all updates pertaining to the 11 items identified under this category.

- Item 9 indicates that the Department will, “Complete and distribute quarterly reviews to ensure that all licensed foster families are viable for future placements.” The Monitoring Team is requesting a copy of all quarterly reviews completed as none were distributed during the 2021-2022 timeframe.
- **Page 19 of the 2021 Recruitment and Retention Plan-Recruitment and Awareness/Matching and Placement**
  - Provide and update on each goal with specifics as to the steps taken.
- **Page 20 of the 2021 Recruitment and Retention Plan-Support and Retention**
  - Provide an update on each of these goals and include specific data.
    - i.e. for #1, how many round tables or educational events were hosted and when? How many presentations? How many foster families were in attendance?
  - Foster Care Advisory-when did this take place? How many meetings?
  - Retention Core Team-when was this initiated? How often does the team meet? Who are the members of the team?
  - #4-What was the baseline for the support group expansion? How many families were added to receive this support?
  - #5-How many families were connected using this? Is the “icebreaker” model a formal or informal model? If formal, please send specifics regarding this model.
  - #6-What activities were done in 2021-2022 and when?
  - #7-Please provide a copy of the survey for review. Also provide the following information:
    - Dates of distribution
    - Outcomes of each
    - Was this provided to all resource families or just those with placements at the time of distribution?
  - #8-What resources were added?
    - **NOTE: The Monitoring Team is requesting administrative privileges to Binti so we provide ongoing monitoring of utilization, data collection, and use of the system.**
  - #9-Provide details of how this was done. How much compensation was provided and for what specific events? What was spent in prior years for engagement spending? Current year? Projected budget for next year?

- #10-Where does this exist and was it added? Please provide the Monitoring Team with access to all of the resources that were added.
- #11-Please send a copy of the trauma-informed training and provide the details of when it was held.
- #12-How was this operationalized?
- Provide Data on Retention of Foster Families (both kinship and non-kinship)
  - A list of every licensed foster home (including private agency and DCYF foster homes) **as of June 30, 2021**. We would like this list to include the following:
    - Licensing ID
    - Foster Parent Name and Address
    - Demographic Information
    - Date of Licensure
    - Whether they took placement of a child
      - Name, DOB and RICHIST # for any child placed in the home
    - Whether they remain active as a foster parent as of June 30, 2022
- Please provide an update on where we are in the process with the implementation of Binti and the update to RICHIST.

Respectfully,

The Monitoring Team